

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROBERT DAVIS, et al.,

Plaintiff,

Civil No. 06-CV-12534  
Hon. John Feikens

v.

FINANCIAL ONE, et al.,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND GRANTING SUMMARY  
JUDGMENT**

Before me is Magistrate Judge Mona Majzoub's Report and Recommendation, dated October 10, 2007. In it, she recommends that I grant Defendant MTGLQ Investors' Motion for Summary Judgment. After carefully reviewing the filings in this matter, I will ADOPT Judge Majzoub's Report and Recommendation for the following reasons. First, Plaintiff failed to object to the report and recommendation. In doing so, he accepts the findings and waives any further right to appeal. See Thomas v. Arn, 474 U.S. 140 (1985); Howard v. Sec'y of Health & Human Servs., 932 F.2d 505 (6th Cir. 1991). Second, for the reasons stated in Judge Mazoub's Report and Recommendation, it is clear that there is not a genuine issue as to any material fact, and Defendant is entitled to summary judgment as a matter of law. I hereby ADOPT IN FULL this Report and Recommendation and GRANT Defendant's Motion for Summary Judgment.

**IT IS SO ORDERED.**

Date: October 30, 2007

s/John Feikens  
United States District Judge

Proof of Service

I hereby certify that the foregoing order was served on the attorneys/parties of record on October 30, 2007, by U.S. first class mail or electronic means.

s/Carol Cohron  
Case Manager